

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of)
David W. Carman et al.)
Application No. 09/621,058)
Filed: July 21, 2000)
For: SYSTEM AND METHOD FOR ENABLING)
AUTHENTICATION AT DIFFERENT)
AUTHENTICATION STRENGTH)
PERFORMANCE LEVELS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
OR IN A NAFTA OR WTO MEMBER COUNTRY
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. section 1.131)**

PURPOSE OF DECLARATION

1. This declaration is to establish completion of the invention in this application in the United States or in a NAFTA or WTO member country, at a date at least as early as July 15, 1999, the effective date of the Black reference cited by the Examiner.
2. The person making this declaration is an inventor, David W. Carman.

FACTS AND DOCUMENTARY EVIDENCE

3. To establish the date of completion of the invention of this application, the following attached exhibit and statement are submitted as evidence:

EXHIBIT A - A document generated before the filing of the present patent application showing a comprehensive description of the present invention, and a date of December 07, 1998.

STATEMENT: I, David W. Carman, hereby state that the invention in the above patent application was conceived of and/or reduced to practice at least as early as December 07, 1998, as evidenced by EXHIBIT A.

From this exhibit and statement, it is clear that the invention in this application was conceived of and/or reduced to practice at least as early as December 07, 1998.

Declaration of Prior Invention in the United States or in a NAFTA or WTO Member Country to Overcome Cited Patent or Publication—
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DILIGENCE

4. It is hereby declared that applicants acted diligently up to reduction to practice or the filing of the above patent application.

TIME OF PRESENTATION OF THE DECLARATION

5. This declaration is submitted prior to final rejection, or with a first reply after a final rejection for the purpose of overcoming a new ground of rejection or requirement made by the Examiner, in which case the declaration is considered timely and should be considered. See MPEP 715.09 (C).

DECLARATION

6. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Inventor's signature:


David W. Carman

Date:

7/13/04

Country of Citizenship:

USA

Residence:

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